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RECEIVED and FILED by the
NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS
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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS -
BOARD OF VETERINARY MEDICAL EXAMINERS

IN THE MATTER OF	:	
	:	
KRISTIE ANN STEELE, ^{DVM} V.M.D.	:	<u>Administrative Action</u>
	:	
TO PRACTICE VETERINARY MEDICINE	:	CONSENT ORDER
IN THE STATE OF NEW JERSEY	:	
	:	

This matter was opened to the State Board of Veterinary Medical Examiners (hereinafter referred to as the "Board") following the Board's review of a consumer complaint filed by K. D. following her visit with her pet to the respondent, Kristie Ann Steele, ^{DVM}~~V.M.D.~~. In her complaint to the Board, Ms. D. alleged that Dr. Steele, engaged in, among other contentions, professional misconduct in the treatment of her then seven (7) year old Shih Tzu dog, "Brutus," in October 2011.

The Board's review of this matter revealed that Brutus was presented to Dr. Steele at the Wayne Animal Hospital (Hospital") by his owner, Ms. D., on October 17, 2011 with complaints of weight loss, vomiting and profuse shaking. Following her physical examination of the dog and her review of blood work analyzed at the Hospital, Dr. Steele informed Ms. D. that Brutus was in renal failure and recommended that he needed to be treated with IV fluids and antibiotics, among other medicines. The owner agreed to these recommendations and treatment was begun at the Hospital on the same day, October 17, 2011. There is no notation in Brutus' patient records created and maintained by the respondent that indicate Dr. Steele referred the owner to a specialty or emergency facility due to the severity of Brutus' condition.

Brutus was continued on IV fluids and his renal values were monitored daily until on or about October 21, 2011 when Dr. Steele recommended that an ultrasound be performed by a specialist. Prior to this suggestion, the respondent made no mention of referral to the owner and did not recommend a higher level of diagnosis despite Brutus' failure to improve during his five (5) days of hospitalization. The owner authorized the ultrasound and the procedure was performed on the same day. The findings of the diagnostic test were consistent with chronic renal disease. These findings, as well as a recommended plan of treatment, were

explained to the owner by Dr. Steele and Brutus was given a guarded prognosis. He was later discharged on Friday, October 21, 2011.

Despite no improvement in his condition during the dog's hospitalization, there are no notes or notations in the patient records to indicate that the respondent recommended referral of the dog to a specialist or discussed available options with the owner, including euthanasia.

The owner contacted the Hospital on Monday, October 24th, to make an appointment as Brutus' condition worsened. Dr. Steele examined the dog and found him to be dehydrated and quiet, yet responsive. Blood work was again performed. The results showed an elevated Creatinine level. Dr. Steele advised the owner that the dog's condition was deteriorating. Brutus was treated with supportive care until the owner decided to take him home. He returned to the Hospital the next day and the owner requested euthanasia which was performed on October 25, 2011.

In her December 20, 2011 written correspondence to the Board, Dr. Steele asserted that she had recommended referral to a specialty facility on at least two (2) occasions on October 17, 2011 and that these suggestions were declined by the owner. However, there is no indication of this in the patient records.

The Board, following its review of the relevant documents in this matter, found that Dr. Steele engaged in repeated acts of negligence in her care and treatment of Brutus, in violation of

N.J.S.A. 45:1-21(d), in that she failed to: 1) refer the dog to a specialty or emergency/twenty-four (24) hour facility or recommend higher level of diagnostics until late in the treatment; and 2) provide the owner with valid options, including referral or euthanasia, in the face of no progress, during five (5) or more days of hospitalization, as documented by the lab results.

The Board further concludes that Dr. Steele violated or failed to comply with its patient record regulation, contrary to N.J.S.A. 45:1-21(h) and N.J.A.C. 13:44-4.9, in that her medical records for Brutus did not contain the information required by the regulation. Specifically, the Board concluded that the respondent's records failed to contain required information, including, but not limited to: 1) treatment or treatment plan prescribed; and 2) a clear statement of the patient's condition and the veterinary evaluation and response, such as, notations regarding conversations with and discussion of options with owner, and referral notations. This conduct constitutes a violation of N.J.S.A. 45:1-21(h), and specifically N.J.A.C. 13:44-4.9, and therefore establishes a basis for disciplinary action.

The parties desiring to resolve this matter without the need for further disciplinary proceedings; and the respondent acknowledging and not contesting the findings of the Board and waiving her right to a hearing in this matter; and the Board having

been satisfied that the within resolution adequately protects the public health, safety and welfare, and for good cause shown:

IT IS, THEREFORE, ON THIS 20th DAY

OF NOVEMBER 2012, ORDERED THAT:

1. The respondent, Kristie Ann Steele, V.M.D., is hereby reprimanded for her conduct as described above, in violation of N.J.S.A. 45:1-21(d), N.J.S.A. 45:1-21(h) and N.J.A.C. 13:44-4.9.

2. Dr. Steele shall take and successfully complete, and provide the Board with proof of successful completion, of a minimum of eight (8) credit hours of Board approved courses of continuing education, in the area of Internal Medicine, within six (6) months of the date of this Order. All continuing education courses taken by the respondent to fulfill this requirement shall be RACE approved and have no affiliation with or be sponsored by the Animal Welfare Association. Additionally, no continuing education credits completed in compliance with this Consent Order may be used to satisfy the minimum continuing education requirements for any biennial renewal period.

3. Dr. Steele shall pay a civil penalty in the aggregate amount of \$2,000.00 for the following violations: 1) \$1,000.00 for engaging in repeated acts of negligence, in violation of N.J.S.A. 45:1-21(d); and \$1,000.00 for record keeping violations, contrary to N.J.S.A. 45:1-21(h) and N.J.A.C. 13:44-4.9. Payment for the civil penalty shall be submitted contemporaneously

with the signing of this Order, by certified check or money order, made payable to the State Board of Veterinary Medical Examiners and shall be forwarded to Jonathan Eisenmenger, Executive Director, Board of Veterinary Medical Examiners, 124 Halsey Street, Sixth Floor, Post Office Box 45020, Newark, New Jersey 07101. Subsequent violations will subject respondent to enhanced penalties subject to N.J.S.A. 45:1-25.

In the alternative, the respondent may pay the civil penalty, totaling \$2,000.00 in equal installment payments of \$350.00 for a total of five (5) months. The sixth (6) and final payment shall total \$250.00. The first payment shall be paid simultaneously with submission of this Order with subsequent payments due on the fifteenth of each month thereafter until the total amount is paid in full.

Any failure to make any installment payment within ten (10) days of the due date shall cause the entire remaining balance to become immediately due and payable without further notice. Further, failure to pay the penalty within the time period allotted above will result in the filing of a Certificate of Debt, including the applicable interest permitted by the New Jersey Court Rules, and may result in subsequent disciplinary proceedings before the Board for failure to comply with an Order of the Board.

4. Failure to comply with any of the provisions of this Consent Order or remit any and all payments required by this Order

will result in the filing of a certificate of debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

By: Mark W. Logan VMD
MARK W. LOGAN, V.M.D.
President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

Kristie Ann Steele, DVM
KRISTIE ANN STEELE, ~~V.M.D.~~ DVM

DATED: 11/20/12

